

STAND. COM. REP. NO. 1694

Honolulu, Hawaii

APR 27 2015

RE: H.C.R. No. 185  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred  
H.C.R. No. 185, S.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF FOUR  
TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE  
SUBMERGED LANDS AT STABLE ROAD BEACH, STABLE ROAD,  
SPRECKELSVILLE, WAILUKU, MAUI, FOR THE USE, MAINTENANCE, AND  
REPAIR OF FOUR EXISTING ROCK GROINS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the  
Board of Land and Natural Resources, contingent upon confirmation  
by a survey conducted by the Department of Accounting and General  
Services, to issue four term, nonexclusive easements covering a  
portion of state submerged lands fronting the property identified  
as seaward of tax map keys: (2) 3-8-002:071, 074, 077, 078, and  
094, Spreckelsville, Wailuku, Maui, for the use, maintenance, and  
repair of four existing rock groin structures.

Your Committee finds that section 171-53, Hawaii Revised  
Statutes, requires the prior approval of the Governor and prior  
authorization of the Legislature by concurrent resolution to lease  
state submerged lands.

Your Committee also finds that on September 26, 2014, under  
agenda item D-6, the Board of Land and Natural Resources approved  
the grant of four term, fifty-five-year non-exclusive easements to  
the following owners of lots adjacent to the groins:



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- (1) The Association of Apartment Owners of Ainalani Lot 6;
- (2) David B. Lim and Jan D. Lim, Trustees of the D & J Family Trust dated August 30, 2006;
- (3) Cortland K. Larned III, Elizabeth M. Larned, and Ian Horswill; and
- (4) James C. Riley, Trustee under Declaration of Revocable Trust of James C. Riley dated November 21, 1989, Jeanne A. Riley, Trustee under Declaration of Revocable Trust of Jeanne A. Riley dated November 21, 1989, and Peter Klint Martin, Trustee of the Peter Klint Martin Revocable Trust dated April 11, 1995, as amended, for rock groin purposes;

and additionally issued an immediate construction right-of-entry to the Stable Road Beach Restoration Foundation to construct the groins. The approval of the easements requires the grantees to pay the State the fair market value of the easements, to be determined by an independent appraisal, as consideration for the use of public lands.

Your Committee further finds that the groins were installed by November 5, 2014, to replace temporary geo-tubes and provide a long-term and sustainable solution to chronic beach erosion at Stable Road Beach on Maui. The groins have already caused the beach to gain more sand, thereby increasing lateral beach access and improving opportunities for recreational activities, such as fishing, diving, windsurfing, walking, and swimming, while providing a beach habitat for endangered species.

Accordingly, as affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 185, S.D. 1, and recommends its adoption.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



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JILL N. TOKUDA, Chair

The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HCR 185, SDI</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WTL, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/23/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
KOUCHI, Ronald D. (VC)				/
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood				/
HARIMOTO, Breene	/			
INOUE, Lorraine R.	/			
RIVIERE, Gil	/			
RUDERMAN, Russell E.	/			
SLOM, Sam	/			
<b>TOTAL</b>	8			3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

\*Only one measure per Record of Votes